

Date: September 2, 2003 Label No. EV306611701US

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

Kim Blum

Name (Print)



Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:) Docket No.: 00138CIPCON
J. Kimmel et al.) (3600-360-01)
Application No.: Unassigned) Parent Group Art Unit: 1746
Filed: September 2, 2003) Parent Examiner: Bell, Bruce F.

For: MODIFIED OXYGEN REDUCED VALVE METAL OXIDES

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR 1.97(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 2, 2003

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each of these documents is attached. These documents were cited in parent U.S. Patent Application No. 10/012,187, filed November 6, 2001. In accordance with M.P.E.P. § 609, it is not necessary to provide copies of those documents with this filing. Copies of documents not cited in the parent application are enclosed.

This Information Disclosure Statement is being submitted before expiration of the three-month period following filing of the above-captioned application.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. *See* 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully

Information Disclosure Statement
U.S. Patent Application No. Unassigned

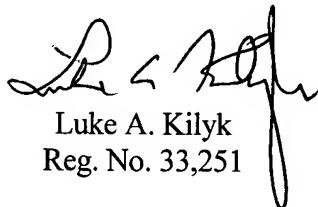
requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

It is believed that no fee is required to make this a complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 03-0060.

Respectfully submitted,



Luke A. Kilyk
Reg. No. 33,251

Atty. Docket No.: 00138CIPCON(3600-360-01)
KILYK & BOWERSOX, P.L.L.C.
53 A East Lee Street
Warrenton, VA 20186
Tel: (540) 428-1701
Fax: (540) 428-1720
Enclosures: PTO-1449, w/ 26 Documents

Atty. Docket No.: 00138CIPCON(3600-360-01)		Application No.:		Unassigned		
Applicant:	J. Kimmel et al.					
Filing Date:	September 2, 2003		Parent Group Art Unit:	1746		
U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
	2002/0135973 A1	9/26/02	Kimmel et al.	361	509	
	2002/0114722	8/22/02	Kimmel et al.	419	45	
	2003/0104923 A1	6/5/03	Omori et al.	501	134	
	2002/0028175	3/7/2002	Fife	423	592	
	RE 32,064	01/14/86	Nielsen	239	224	
	1,415,516	5/9/22	Bridge			
	1,906,184	4/25/33	Bohn			
	2,183,517	12/12/39	Leemans, et al.	75	135	
	2,242,759	5/20/41	Schlecht et al.	75	84	
	2,443,254	6/1948	Kroll et al.	423	62	
	2,621,137	12/9/52	Miller	148	13.1	
	2,700,606	1/25/55	Wilhelm et al.	75	84	
	2,761,776	9/4/56	Bichowsky	75	5	
	2,861,882	11/25/58	Bichowsky	75	84	
	2,937,939	5/24/60	Wilhelm et al.	75	84	
	2,992,095	7/11/61	Li	75	27	
	3,418,106	1/14/69	Piattet	75	0.5	
	3,421,195	12/23/65	Berryhill	29	25.42	
	3,647,420	3/1972	Restelli	75	84	
	3,665,260	5-1972	Kirkpatrick et al.	361	529	
	3,849,124	11/1974	Villani	420	422	
	3,926,832	12/16/75	Barosi	252	181.6	
	3,956,975	05/18/76	Egleston et al.	93	49 M	
	4,032,328	6/28/77	Hurd	75	84.1	
	4,059,442	11/1977	Bernard	75	208R	
	4,070,765	01/31/78	Hovmand et al.	34	10	
	4,126,493	11/21/78	Wurm	148	20	
	4,141,783	02/27/79	Pisecky et al.	159	4S	
	4,186,423	1/1980	Yoshida et al.	361	525	

	4,190,963	03/04/80	Christensen et al.	34	57 A	
	4,201,798	05/06/80	Lindmayer	427	74	
	4,281,024	07/28/81	Hauberg et al.	426	471	
	4,303,200	12/01/81	Hansen	239	223	
	4,305,210	12/15/81	Christensen et al.	34	57	
	4,406,699	9/1983	Beck et al.	75	233	
	4,428,856	1/31/84	Boyarina et al.	252	181.1	
	4,483,819	4/1984	Albrecht et al.	419	2	
	4,722,756	2/2/88	Hard	148	126.1	
	4,733,821	03/29/88	Jensen et al.	239	224	
	4,748,737	6/1988	Charles et al.	29	599	
	4,805,074	2/14/89	Harakawa et al.	361	525	
	4,885,848	12/12/89	Christensen	34	57 R	
	4,923,531	5/8/90	Fisher	148	126.1	
	4,960,471	10/2/90	Fife	148	20.3	
	4,964,906	10/23/90	Fife	75	369	
	5,011,742	4/30/91	Fife et al.	428	558	
	5,013,357	5/7/91	Worcester et al.	75	622	
	5,022,164	06/11/91	Hansen et al.	34	57 B	
	5,022,935	6/11/91	Fisher	148	126.1	
	5,030,400	07/09/91	Danielsen et al.	264	101	
	5,100,509	03/31/92	Pisecky et al.	159	4.2	
	5,133,137	07/28/92	Petersen	34	57 A	
	5,171,379	12/15/92	Kumar et al.	148	422	
	5,211,741	5/18/93	Fife	75	255	
	5,223,088	06/29/93	Hansen	159	2.1	
	5,245,514	9/14/93	Fife et al.	361	529	
	5,248,387	9/28/93	Hansen	159	48/1	
	5,284,531	02/08/94	Fife	148	513	
	5,369,547	11/1994	Evans	361	516	
	5,412,533	05/02/95	Murayama et al.	361	528	
	5,448,447	09/05/95	Chang	361	529	
	5,470,525	11/1995	Tripp et al.	419	36	
	5,607,649	03/04/97	Hansen	422	147	

	5,615,493	04/01/97	Funder	34	583	
	5,632,100	05/27/97	Hansen	34	374	
	5,648,118	07/15/97	Liborius	427	213	
	5,817,280	10/06/98	Larsen et al.	422	143	
	5,825,611	10/20/98	Pozdeev	361	524	
	5,839,207	11/24/98	Christensen et al.	34	369	
	5,993,513	11/30/99	Fife	75	743	
	6,001,281	12/14/99	Lessner et al.	252	500	
	6,007,597	12/1999	Puopolo et al.	75	10.14	
	6,051,044	04/18/00	Fife	75	229	
	6,051,326	04/18/00	Fife	428	610	
	6,056,899	05/02/00	Lessner et al.	252	518.1	
	6,058,624	05/09/00	Bach et al.	34	374	
	6,072,694	06/06/00	Hahn et al.	361	523	
	6,098,895	08/08/00	Walzel et al.	239	7	
	6,136,062	10/24/00	Loffelholz et al.	75	369	
	6,151,798	11/28/00	Petersen	34	304	
	6,253,463	07/03/01	Hansen	34	362	
	6,312,642	11/6/01	Fife	419	30	
	6,322,912	11/27/01	Fife	428	702	
	6,373,685	4/16/02	Kimmel et al.	361	508	
	6,391,275	5/21/02	Fife	423	592	
	6,416,730	7/9/02	Fife	423	592	
	6,462,934	10/8/02	Kimmel et al.	361	508	
	6,527,937	4/4/03	Fife	205	209	
	6,576,099	6/10/03	Kimmel et al.	204	291	

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
	WO 00/15555	3/23/00	PCT			Yes
	WO 00/15556	9/16/99	PCT			
	WO 00/12783	3/9/00	WIPO			
	WO 00/14139	12/14/99	WIPO			
	WO 00/14755	3/16/00	WIPO			
	WO 00/19469	06/06/00	WIPO			

	WO 00/28559	05/18/00	WIPO			
	WO 00/44068	07/27/00	WIPO			
	WO 00/45472	8/31/00	WIPO			
	WO 00/46818	8/10/00	WIPO			
	WO 00/56486	9/28/00	WIPO			
	WO 01/99130 A1	12/27/01	WIPO	H01G	9/052	Yes
	WO 01/71738A2	9/2001	WIPO	H01G	00	
	WO 01/35428 A1	5/17/01	WIPO	H01G	9/042	Yes
	WO 98/30348	07/16/98	WIPO			
	WO 85/05288	12/5/85	WIPO			
	DE 198 312 80	1/2000	Germany	C22	B5112	
	0 634 761 A1	1/18/95	Europe	H01G	9/00	
	0 634 762 A1	9/13/91	Europe	H01G	9/00	
	104,631	8/9/37	Australia			Yes
	485,318	5/18/38	Great Britain			Yes
	489,742	8/3/38	Great Britain			Yes
	835,316	5/18/60	Great Britain			Yes

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Abstract Document No. 104:198128, 1986, no month
	Abstract Document No. 104:229152, 1986, no month
	Abstract Document No. 106:42412, 1987, no month
	Abstract Document No. 108:122980, 1988, no month
	Abstract Document No. 109:103212, 1988, no month
	Abstract Document No. 110:224093, 1989, no month
	Abstract Document No. 113:10823, 1990, no month
	Abstract Document No. 116:199338, 1992, no month
	Abstract Document No. 118:86049, 1993, no month
	Abstract Document No. 119:84165, 1993, no month
	Abstract Document No. 120:179957, 1994, no month
	Abstract Document No. 128:288971, 1998, no month
	Abstract Document No. 129:130191, 1998, no month
	Abstract Document No. 129:284714, 1998, no month
	Abstract Document No. 83:140466, 1975, no month
	Abstract Document No. 85:170443, 1976, no month

	Acrivos, et al., "Dynamic phenomena in superconducting oxides measured by ESR" Phys. Rev. B: Condens. Matter, 50(18), pp. 12710-23. (1994)
	Acrivos, et al., "Dynamics of flux motion ..." Physica C (Amsterdam) 234-40(Pt. 5), pp. 3159-60. (1994)
	Feschotte, et al., "Niobium Physico-Chemical Properties Of TTS Compounds and Alloys" Atomic Energy Review, Special Issue No. 2. International Atomic Energy Agency - Vienna (1968). Pages 57-59.
	Georg Bauer, "The Oxides of Niobium," Zeitschrift fuer anorganische und allgemeine Chemie, Vol. 248, September 12, 1941, No. 1, pages 1-31. (With Full English Translation)
	International Search Report for International Application PCT/US97/19949 published 05/14/98
	International Search Report for PCT/US99/21413 mailed 09/16/99
	J. W. Mellor, "A Comprehensive Treatise on Inorganic and Theoretical Chemistry, September 1947, Vol. IX, pg. 856.
	Kuz' micheva, et al., "Superconductivity in lanthanide-strontium-niobium-oxide systems" Sh. Neorg. Khim. 38(1), 162-6. (1993)
	Mellor "Inorganic and Theoretical Chemistry" Vol. IX, pp. 856-857, no date
	"Niobium and Oxygen" Gmelins Handbook of Inorganic Chemistry, Verlag Chemi, 1970, pages 14-44 (with English Translation).
	Pages 59, 65, and 66 of "Encyclopedia of Chemical Technology, Vol. 17, 4 th Edition, no date
	Vest et al., "Electrical Conductivity in Ceramics and Glass" Department of the Air Force, Aerospace Research Laboratories Wright-Patterson Air Force Base, Ohio. Pages 375-384. (1974)
	Young article, pages 4 and 5 of Chapter 2, no date, no citation
	U.S. Patent Application No. 09/154,452
	U.S. Patent Application No. 09/347,990
	U.S. Patent Application No. 09/533,430
	U.S. Patent Application No. 09/758,705
	U.S. Patent Application No. 09/816,689
Examiner	Date Considered
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce